PURGING THIS ENROLLMENT

BOO TO 1,000 NAMES TO COME OFF. REPUBLICAN LEADER SAYS.

Mandamus Proceedings to Remove the Names of One Dead Man and Three Men Who Say Their Signatures Were Forged-Notary's Signature Porged.

In asking for a mandamus directing four names appearing as those as enrolled Republicans in the Seventh Assem-hly District be stricken from the rolls by the Board of Elections, Franklin B. Miller, Republican leader of the district, makes notable allegations of fraud. The names he wants taken from the rolls are: William Gibson of 330 West Twelfth street, said to have been dead when enrolled; James G. McCarthy of 598 Hudson street, Henry C. Schrieber of 94 Eighth avenue and George Kopp of 51 Jane street. Townsend & McIlvaine, counsel for Mr. Miller, say that this action is but the beginning of an effort which he will make to have from 500 to 1,000 names stricken from the primary rolls of the district, all of which, he declares, were put there by fraud. There are three notaries concerned in the case and two of them, Cromwell W. Macey and Eli Sobel ever that on certain of the enrollment blanks their signatures have been forged. Criminal proceedings have been institute against the third notary, Benjamin Bernstein, by the Attorney-General for certify-ing to enrollment blanks alleged to be fraudulent.

fraudulent.

Miller avers that although Gibson died on March 9, last, a certificate for enrollment has been filed with the Board of Elections purporting to have been signed and acknowledged before Eli Sobel a notary public on May 26. Miller further states: public on May 26. Miller further states:
The true residence of said William Gibson, prior to the time of his death was 330 West Twelfth street and is the residence stated in said special statement of enrollment. I have visited the premises at 330 West Twelfth street, the residence of said William Gibson. It is a private residence. I saw the person in charge of said house and was informed that no other person of a similar name to William Gibson had resided there at any time during the past year particularly the months of May and June, 1901.

menths of May and June. 1991.

Miller declares that the signature of Gibson to the paper is a forgery. He also has the affidavit of the undertaker who buried Gibson, to the effect that Gibson was in his grave at the date of the blank.

James G. McCarthy of 598 Hudson street avers that he did not sign the certificate which bears his name. He asserts that no one else of the same name lives in the house with him and he consents that his name he attricken from the rolls.

name be stricken from the rolls.

The certificate of McCarthy purported to have been acknowledged before Macy on May 1 Mr. Macy makes affidavit that the did not set a rotary as stated on the on May 1 Mr. Macy makes affidavit that he did not act as notary as stated on the paper. Another affidavit avers that he is the only notary of the name in this county. Schrieber and Kopp likewise deny that they signed the certificates bearing their names. Miller avers:

There is danger that at said primary elec-tion of the Republican party to be held on Sept. 17, 1901, some persons not entitled thereto may be enabled to vote and that by reason thereof deponent and the other elec-tors in the district will suffer irreparable

Hearing on the motion was adjourned y Justice Gildersleeve yesterday until

HARD BLOWS AT GORMAN. Maryland Republicans Hit the Democratic

Boss at Their Convention. BALTIMORE, Aug. 6.-The Republica State Convention, which met at Ford's Opera House to-day, nominated Herman S. Platt for State Comptroller and Thomas Parran for Clerk of the Court of Appeals. Chairman Goldsborough started the party enthusiasm in his opening speech. The platform indorses the McKinley Adminisistration and the policy as pursued in China and the new dependencies. It severely arraigns the administration of the Democratic party in the State. Gorman, the State leader, and Rasin, the city leader, are scored. In this the platform declares: The Republican party compelled officials

of the Gorman-Rasin administrations to disgorge public moneys and collected publie dues from long-exempted corporations. The Republican party promises that our unconstitutional Election law shall be repealed, so that every male citizen in Maryland, having the qualifications prescribed by the Constitution, shall have the right

Then follows a promise to enact several reform measures and an endeavor to defeat organized trusts. This brings in the oyster and crab business of Maryland and a condemnation of the present oyster law. In conclusion the platform hits hard at ex-Senator Gorman

Senator Gorman
"We appeal to all good citizens to unite
in defeating the selfish political bosses
in their conspriacy, begun with the extra session to perpetuate themselves and their methods, by one-sided elections, and to thwart the first purpose of that conspiracy by defeating the election to the United by defeating the election to the United States Senate of the Democratic leader who dictated the disfranchising election law to a servile Assembly.

"If we succeed, we will defeat the election

to the United States Senate of a man whose views on tariff and finance fluctuate with political exigencies, who is stable only in unvarying control of the Democratic party machine. If we succeed we will be a succeed the destroy the power of the Democratic party machine. party machine. If we succeed we will forever destroy the power of that Democratic city boss (Rasin) who, beyond the average span of human life, has made legislation and controlled Baltimore politics

for revenue only."

The speech of the day was made by
Caparal Glither, who in former Attorney General Glither, who in nominating Mr. Platt went for Gorman red handed. He called him the father of compromises and the author of the compromise tariff and financial measures reeking with party infamy and dishonor.

TAYLOR AFTER SHARKEY'S SCALP Fight for Leadership of Kings 16th As-

sembly District Opens in Earnest. The fight between Naval Officer Robert A. Sharkey and Assistant Postmaster William J. Taylor for control of the Republican organization in the Sixteenth Assembly district in Brooklyn is on in earnest. the recent efforts to patch up an agree-

ment having failed.

Mr. Taylor issued a long statement yesterday scoring Mr. Sharkey for selfish political management and the expenditure of large sums of money in carrying primary elections. This is a part of Mr. Taylor's indictment: Indictment

We will show that every male member of Mr. Sharkey's family is holding a fat public office and that their combined salary drawn from the public amounts to more than \$13,000 per year, and that not one of his family was ever appointed from a civil service list, their appointment being secured because Mr. Sharkey was executive member of the old Twenty-fifth ward or Sixteenth Assembly district.

At the last primary Mr. Sharkey pulled through by a majority of only 40 in a vote of over 3,000. This year the Taylor forces are confident that they will beat him.

CHEROKEE CLUBS OUTING. Two Thousand Tammany Br aves Turn Out for the Pienie.

The Cherokee Club, the Tammany organization of the Twenty-eighth Assembly district, held its annual chowder and games at Witzel's Point View Grove, College Point, yesterday. Games occupied the attention of the braves in the afternoon, until they were compelled to seek shelter from the rain, after which they had a supper. About two thousand persons attended the chowder. Senator Featherson, the leader of the district, Lawrence Delmour, ex-Sheriff Tom Dunn, Tax Commissioner Shaehy and Alderman John T. McCall were among those who attended

RUSSIAN OFFICERS SUICIDE.

En Diegrace for the Elagovestdensk Mas-eacre, Gen. Gribch Kills Elimeett.

Vioronia, B. C., Aug. 6.—According to news received from the Orient by the steamer Queen Adelaide, Gen. Gribski, the Military Governor of Elagovestchensk, committed suicide recently as he was ap-proaching the above city on his return proaching the above city on his return

Gen. Gribski was in charge of Blagovest-chensk in August, 1900, when that city was attacked by the Chinese bandits from Algun, who from the opposite of the Amur fired on the Russian city. The presen in the city of a large body of peaceable Chinese was regarded by the Russians as a grave peril and instructions were asked from St. Petersburg. The now historic telegram; "Fling Chinese across Amur," was wired from St. Petersburg, and during the temporary absence of Gen. Gribeki the message was literally inter-preted by the Chief of Police, whose bloodthirsty Cossacks gathered the Chinese together, men, women and children, to the number of nearly \$,000, and literally flung them into the water. None of the Chinese

Gen. Gribski was subsequently recalled to St. Petersburg to explain the matter, and there is reason to believe that he was returning to Blagovestchensk in disgrace and so decided to take his own life.

DETECTIVE ARRESTED IN COURT. Tables Turned on Him by the Weman He

Accused of Disorderly Conduct. Ernest J. Bragazzo, a private detective, who on Monday night made Camille Connel, a Frenchwoman, accompany him to the Tenderloin police station, where he charged her with accosting him in the street, was himself arrested when he appeared in Jefferson Market police court yesterday to prosecute the woman.

Upon the application of the woman's counsel, Magistrate Mayo ordered that a complaint be taken and a warrant issue for Bragazzo upon Mrs. Connel's charge of disorderly conduct. It was alleged that Bragazzo accosted her on the street while she was on her way to a drug store and that he forced her to go with him to the Tenderloin police station, representing to her that he was a detective. Bragazzo was put under arrest in the court room and his examination and the woman's went on

at the same time. She had her husband in court to testify She had her husband in court to testify that she was a respectable married woman. Detective Higgins, who has arrested hundreds of the women of the streets in the Tenderloin, testified that he had never seen her acting in a suspicious or disorderly manner, and Policeman Foley, who sees to the formal arraignment of all prisoners, swore that he had never seen Mrs. Connel in court.

n court.
Bragazzo was submitted to a sharp cros examination. He was asked about the trouble he got into three months ago for following a woman who was staying at the Waldorf. He explained that he was shadow-ing her to get evidence to use in a divorce

"Who employs you?" asked Magistrate

"Who employs you?" asked Magistrate Mayo.
"A detective in West Thirty-first street," answered Bragazzo. "He gets all the big divorce cases from the Waldorf and the Imperial and the other hotels."
The examination was continued until today to allow Bragazzo time to summon witnesses. Bragazzo was married on July 27 to Pearl Colby at the Little Church Around the Corner.

SHEVLIN AND MCARTY THREATEN Criminal Action if Blind Pool Contract Is

Brought Into Bankruptey Case. Charles H. Hyde, counsel for James Shev lin, and former State Senator John Mc-Carty, who are said to have signed a blind speculation pool argeement with G. Edward Graff and Thomas M. Nevins, said yesterday that criminal proceedings would be begun by his clients in case the alleged contract as to this pool was introduced in the bankruptcy proceedings before Judge Thomas of the United States Court. Shevlin and McCarty have declared their signatures

to the contract to be forgeries. Counsel Epstein for Graff says that just as soon as the signatures of the two Brooklyn politicians on the contract are disputed e will call experts in handwriting. He has, he will call experts in handwriting. He has, it seems, already submitted the signatures to expert Kinsley, who gave testimony as to Molineux's handwriting, and Kinsley is said to have declared that the contract signatures are genuine. "It will be peculiar signatures are genuine. "It will be peculiar if Shevlin and McCarty do not take criminal if Shevlin and McCarty do not take criminal proceedings if their signatures are forged to such a document, "observed Mr. Epstein.

"Nevins now says that I signed the contract without looking at it," said McCarty "Would any of my friends accuse me of doing such a silly thing? Would any man who knows me think that I would sign any processitions theories, what it was? It by paper without knowing what it was? It is a good thing that Nevins qualified his statement by saying that I did not know what I was signing when I was supposed to sign this contract, for I certainly would

not go into any such agreement."

As to bringing criminal proceedings,
McCarty said there was no use doing so
until the contract was introduced. He has
engaged former Supreme Court Justice
Augustus Van Wyck to act with Lawyer

TO FIGHT LEADER HOLAHAN. Max Steinert Will Enter Lists Against Wandering Boy's Father.

It was announced vesterday that Max Steinert, a lawyer of 330 East Fifty-seventh street, would make a contest in the Twentyfourth Assembly district and attempt to take the Tammany leadership of the district away from Maurice F. Holahan, President of the Board of Public Improvements. which is soon to be abolished. It was said that Mr. Steinert relies for help on the Hon. Richard Croker of Wantage, England, Tam-

many's absentee landlord. According to the story told at the "Tick-ers and Tappers' Club" as the Hon. Tim Campbell calls the Democratic Club, Mr. Croker was very much put out when he heard that his own vice hunters had captheard that his own vice hunters had captured one of his lieutenants in a raid on a poolroom, and he was more chagrined when he learned that Mr. Holahan, the victim, had "made the organization ridiculous" by saying that he had gone into the poolroom for the sole purpose of finding his wandering boy. Mr. Holahan is strong in his own district and will be able to make a sturdy fight.

Neustadt to Run Against Stiebling. At the meeting of the Stalwart Republican Club of the Twelfth Assembly district last evening it was decided to put up as the candidate of the club for the leadership of the district against John Stiebling Jacob Neustadt, the only Republican brew-ery collector in the city. Norbeth Pfeffer, ery collector in the city. Norbeth Pfeffer, who is taking a large part in the fight, said after the meeting that the enrollment of men in the club was going on with a rush and that he expects to win the fight.

Tammany Men Making for the Springs. Daniel F. McMahon, chairman of the Tammany Executive Committee, and a lot of other Tammany men will go up to Saratoga to-day and take the waters.

Seventh Avenue to Have Fast Service. President Vreeland of the Metropolitan Street Railway said vesterday that the under-trolley cars will be in service on the Seventh avenue line within the next fortnight. The new line is to have terminals at South Ferry, and at the Cortlandt, Des-brosses and Christopher street ferries. It will be one of the fastest service lines orated in the city.

ENGEL'S IT, NOT PORGES, SEET

NO TESTIMONIALS GO IN DE ATE

UNLESS MARTINS IN. That Was to Have Been the Alderman's Portrait With the Thanks of the Grate-ful Pushcart Men Turus Out to Be the Councilman's With the Same Thanks.

It was announced yesterday by friends Alderman Max Porges of "de Ate" that Engel does him out of a renomination his fall he will start a new organization in the district and try and beat Engel at the next succeeding primaries. At the last meeting of the organization held last Friday night Porges was publicly hu-

miliated by Engel in a way that has caused

much laughter all over the district. Some time ago storekeepers in Grand street complained about the pushcarts that were permitted to stand in front of their stores to the great detriment of their business, and Capt. Walsh of the Ekiridge street station drove the pushcart men away. The pediers appealed to Porges and he succeeded in obtaining permission for them to stand in Grand street between Orchard and Ridge streets. The pediers were grateful and appointed a committee to present him with a suitable testimonial They drew up an elaborate set of resolutions which they arranged to have engrossed and put in a gilt frame together with a crayon likeness of Porges to be presented to him with due ceremony at the meeting last Friday night. Porges was told to be ready with a speech. The presentation was to be made by Congress-

was told to be ready with a speech. The presentation was to be made by Congressman Goldfogle.

Early last week Porges was told that this wouldn't do at all and that if Porges and not Engel got the testimonial pushcarts might be driven off Grand street again.

The pushcart men were warned and agreed to alter their plans for the presentation. It took place on schedule time and the room was packed to the doors. The Hon. Martin Engel sat in a front seat on the stage and Porges sat among the pedlers.

A massive glit frame covered with a red cloth was brought in and set on the stage.

Congressman Goldfogle in an eloquent speech eulogized Engel as a man of the people and the friend of the push-cart men. When the cloth was removed from the frame a life-size likeness of Engel was disclosed, underneath of which were engrossed resolutions thanking him for his services in behalf of the push-cart men. The pedlers rent the air with their cheers. Engel bowed and thanked the pedlers and nine speeches extolling Engel were made. Down in the crowd somebody handed Porges a set of resolutions, typewritten on ordinary writing paper, thanking him for his assistance and signed by the push-cart men's committee. Porges stuffed it into his pocket and hurried out of the room.

"I done the work," said Porges yesterday,

"I done the work," said Porges yesterday,
"and Engel grabbed the credit."

SUPT. ADAMS SURRENDERS. Western Union Official Pleads Not Guilt; to Helping Green Goods Men.

Charles P. Adams, superintendent of the Western Union Telegraph Company's service along the Jersey Central Railroad, who could not be found on Monday by a lersey City detective with a warrant charging him with aiding green goods swindlers, surrendered himself at police headquarters yesterday morning. He was accompanied by Lawyer Walter McDermott. Adams was arraigned before Police Justice Hoos and waived examination for the Grand Jury. He was released in \$1,000 bail, Adam

Steip becoming his surety.

Alfred Kaiser, the telegraph operator at the Claremont station, who refused to tell the police to whom telegrams from come-ons" had been delivered, referring "come-ons" had been delivered, referring the cops to Supt. Adams for information, was next arraigned, after spending eighteen hours in custody. He explained that he had no counsel and requested an immediate hearing. He changed his mind after talking to Mr. McDermott, saying that he would be a few of the estate is bequeathed to the support of the state is bequeathed to the support of the state is bequeathed to the support of the estate is bequeathed to ing to Mr. McDermott, saying that he would also waive examination. Before the proceedings in court Mr. Adams surprised Kaiser by telling him that he was not employed by the Western Union, but by the

Central railroad.

Chief of Police Murphy, who caused the arrest of the men after they refused to assist in furnishing information concerning the identity of the swindlers who used the Western Union lines in negotiating with interval of the swindlers. cerning the identity of the swindlers who used the Western Union lines in negotiating with intended victims, says he is satisfied that Kaiser got his instructions to keep mum from his superiors in the telegraph company's service. He smiled at the idea that the operator was responsible to the railroad company. Kaiser ble to the railroad company. was taken back to the city prison and later was bailed out by Horace H. Farrier, who went to the court room with J. B. Bertholf. manager for the Western Union in Jersey

City.

Kaiser made a statement to Chief Murphy in which he referred to the arrest of a man named Kelly in Hazleton, Pa., for an alleged greengoods swindle. This ar-rest was news to the Chief and he immediately made use of the tip by telegraphing for information. He received a despatch from the Wilkes-Barre police saying that the Hazleton prisoner, Kelly, who was picked up ten days ago, had given the name of William A. Gray. This is the name used by the greengoods man who directed Rufus H. Minot of Northfield, Mass., to telegraph to Claremont, using the Western Union wires only, in case he wanted to do business. Minot turned all the letters and circulars over to Chief

Murphy. Yester Murphy.
Yesterday the chief received a letter from Minot in which he said that he is fearful that the green goods gang might try to get even with him by burning his farm buildings. The chief wrote to the farmer that there was no occasion to worry and

that there was no occasion to wory and congratulated him on the assistance which he had given the police. Post Office Inspector Cortelyou left Jersey City for Hazleton yesterday to learn what he can of the arrest of Gray and his operaions there. He told Chief Murphy many complaints had been received by the Post Office Department of the transmission through the mails of green goods circulars. Mr. Cortelyou said that com-plaints had also been made that the swindlers were using the Western Union lines to receive messages from victims. Chief Murphy assured a Sun reporter last night that he believes he has a good case against the Western Union's employees. He was equally positive that the green goods fraternity will steer clear of Jersey City in the future.

BISHOP OF NEW DIOCESE. Vicar-General Garvey of Pittston, Pa., to Go to Altoons.

PITTSTON, Pa., Aug. 6.-The Rt. Rev. E. A. Garvey, Vicar-General of the Scranton diocese, Monsignor of the Papal Household. and pastor of St. John's parish here this afternoon received the official bull from Rome appointing him Bishop of the newly created diocese of Altoona, Pa. The document was accompanied by no information in regard to the territory to be included in the new diocese, but the Monsignor says this is no doubt in the hands of Cardinal Gibbons. The investiture will take place in St. Peter's Cathedral, Scranton, in the early part of September, the date being set early part of September, the date being set as early as possible in order that the new Bishop may assist in the arrangements of details in the formation of the diocese. Bishop Garvey is one of the best-known clergymen of Pennsylvania. His name on three previous occasions has been suggested for Bishopric appointments in the State. During his two years' pastorate here he has accomplished the erection of two chapels in suburban portions of this parish and has been a hard worker for the temperance cause, inducing over 100 members of his parish to take the pledge. PROMOTIONS FOR FIVE SLEUTHS. Start Seat From Head Back to the Presincts.

Police Commissioner Murphy stirred up the Detective Bureau yesterday by promoting five detectives to be sergeants and transferring nine detectives out of the bureau and assigning them to precincts to do patrol duty. The men who were promoted were Joseph Petrosino, Edward Hughes, Thomas Butler, William Duggan; and William Kinsler. Their salary was \$1,400 a year; they will now get \$2,000.

The men who were transferred and the precincts in which they will begin to "walk the street" at 8 o'clook this morning are: the street at 8 o'clook this morning are:
Alexander Chandler, Fifth street station
John Collins, West Thirty-seventh street
station: Samuel B. Pavis, West Fortyseventh street station; William H. Dunn,
Delancey street; Charles Grave, Union
Market; John J. Herlihy, Fast Twentysecond street; J. M. Milmore, Mercer street;
Louis Pollock, West Twentieth street.
Col. Murphy's action in promoting
Petrosino has given much satisfaction
to those who are interested in seeing the
men who do the actual work of the Detective Bureau get the rewards. Petrosino
has a record for catching Italian murderers
that is not equalled by that of any other
detective in the country, and the Italian
jails are filled with Italian criminals whom
he has caught in this country and sent
back there. Petrosino was a detectivesergeant formerly, but was reduced by
Capt. McClusky when the latter had charge
of the Detective Bureau. It was never
officially explained what reason there was
for Petrosino being in disfavor then.
The promotion of Detective "Eddie"
Hughes was a popular one. He has been
closely identified with the Detective Bureau
for years, having been stenographer for
Capt. McClusky, and he now does the
same work under Capt. Titus. While his
job is a clerical one, he is called upon to
handle some ticklish questions, and is
intimately acquainted with all the work of
the bureau.
Col. Murphy said that the men had been Alexander Chandler, Fifth street station

intimately acquainted with all the work of the bureau.

Col. Murphy said that the men had been promoted on their records. It is known that he has had Petrosino's promotion under advisement for some time. Whatever may have been Col. Murphy's reason for the promotions, it is certain that he has given hope to the detectives who have not political pull that there is a chance for them.

The remanding of nine detectives to patrol duty caused a lot of excitement. Col. Murphy's explanation of the transfer was:

"I thought these men would do better work on patrol than they have been doing in the Detective Bureau."

Capt. Titus will go to Asbury Park to-day for his vacation. He will be away twenty days, and during his absence Sergt. Grady will command the Detective Bureau. Sergt. Grady was on Deputy Commissioner Devery's staff when he was Chief and was known as Mr. Devery's right bower.

PROF. H. B. ADAMS'S WILL. Bequests to Amherst College and Johns Hopkins University.

BALTIMORE, Md., Aug. 6 .- The will of Prof. Herbert B. Adams of Johns Hopkins University, was filed for probate in the Orphans' Court here to-day. He bequeaths his house and other property at 133 Main street, Amherst, Mass., to the city to dispose of according to the discretion of the Selectmen. He says that while he does not inmen. He says that while he does not intend to create a trust or make it obligatory
on the town, it is his wish that one-half of
the total income of the property be used
for the benefit of the second parish of
the town and the other for the benefit
of the library. This bequest he makes
as a permanent memorial of his father
and mother. If at any time the parish
shall cease to support a church, he provides that the envire income be given to
the library.

the library.

To Amherst College he bequeaths \$2,000 to be applied to the purchase of books to be accredited to the Herbert B. Adams fund. To Georgiana Wood Adams, Mason Tyler Adams, Herbert Henry Adams, Edward M. Adams and Thomas Dickinson he leaves \$1,000 each. To his

Johns Hopkins University.
"While I do not wish to create any trust" he says, "or make it obligatory on the university, I would suggest, what, in my opinion would be a desirable use of the opinion would be a desirable use of the property, that this bequest shall constitute a distinct fund, to be known as the Herhert B. Adams Fund. I prefer that the principal be kept intact, and that the income only be used and this for the advancement of history, political science and education, to the promotion of which I have devoted my life. I would further suggest that this income be used in particular for the purchase of books of history, politics, economics and education and for the publication of university studies in historical and politiof university studies in historical and politi-cal science, or toward the salary of a his-torical professor or for graduate fellow-ships, as may seem, from time to time expedient."

G. W. LEDERER ASKS REFEREE. To Decide Who Shall Have Custody of Hi

Son-Accuses Wife of Infidelity. Another argument was heard in the Supreme Court in Brooklyn yesterday in the habeas corpus proceedings under which George W. Lederer, the theatrical manager, seeks to gain possession of his five-year-old son Maitland from his wife. Adele Rice Lederer, who has begun a suit for separation. Mr Lederer yesterday asked Justice Rich to appoint a referee

to decide as to the custom, but decision was reserved Lawyer Stephen C. Baldwin opposed the appointment of a referee. He declared that while the separation suit is pending that while the separation suit is pending the present action should not be postponed, but the custody of the child determined by the court. Justice Rich replied that he would not go into that question until late in the month. He believed the case was one for a referee and he agreed with Mr. Baldwin he continued as to the mothe being the natural custodian of a child o tender years, but if it was shown that she a reliable person, of course

changed matters.

Lawyer Franklin Bien, who appeared for Mr. Lederer, said that his client was the boy's natural custodian under the law.

boy's natural custodian under the law. Mrs. Lederer on her return from Europe had refused to go to the place provided for her and had prevented her husband from seeing the child. She had, the lawyer declared, obtained possession of her son by fraud promising that she would return him to his father.

There was a traverse to the writ of habeas corpus filed. In it Mr. Lederer, while making no specific charges of infidelity, alleges that his wife has been untrue to her marriage vows. He says she has frequently been under the influence of liquor and could take care neither of herself nor of the boy.

BUNCOED LUMBER MEN. Swindler Used Name of Reputable Concern and Did Lucrative Business.

By using the firm name of a reputable coal and lumber concern of Jersey City a swindler operating in Hoboken for the last month has persuaded a score of lumber dealers in Pennsylvania to send him as many car-loads of lumber over the Erie Railroad. He has resold the lumber to builders on Long Island, securing quick sales by offering the stock at 20 per cent. less than the market price, and then failed to remit to the Penn-

price, and then falled to remit to the Pennsylvania dealers.

The fact that lumber was obtainable in Hoboken for 80 per cent. of its market value was reported to Secretary E. F. Perry of the National Association of Wholesale Lumber Dealers, who began an investigation, aided by the Hoboken police and the Post Office authorities. From the address at which the swindler had his headquarters it was learned vesteriay that he had disit was learned vesterday that he had dis-appeared several days ago when the local Post Office authorities stopped delivering his mail. The value of the stolen lumber NAME OF TAXABLE PARKETS

PLANTO FORM A BRYAN PARTY.

FREE SILVERITES MEET IN KAN-SAS CITY NEXT MONTH.

Bad Split in the Democratic Party Cortain, Says Populist Chairman Cook —Third Party in 1904 to Be Called Either the Commoner or Colu

KANSAS CITY, Mo., Aug. 6 .- Local Free Silver enthusiasts are busy with preparations for the great convention to be held here Sept. 18, 19 and 20, to launch a new national party on lines purely Bryanite. All sorts of political malcontents are to be banded together in the new party, which is to be called either the Commoner party or the Columbian. The promoters have not quite determined which. Chairman J. Cook of the Populist State

Committee of Missouri was here to-day on this new party business. He said he was on his way to Lincoln, Neb., to confer with J. H. Edmonston, chairman of the State Committee of Fusionists in Nebraska. "Ours will be a national and not a sec-tional party," said Mr. Cook. "We will unite all the middle-of-the-road Populists, the Fusion Populists, the Silver Republicane, the Public Ownership party in St. Louis, the Bryan Democrats, the Single Taxers and the Socialists. It is a certainty that there is to be a bad split in the Democratic party. Our party will include those who will not submit to the domination of the Hill and Cleveland elements. By 1904 there will be three great parties."

Mr. Cook said that among those expected at the Kansas City convention were "Golden Rule" Jones of Toledo, Elwood Pomeroy of New York, John J. Lentz of Ohio and Marion Butler of North Carolina.

INDORSER SIGNED ILLEGIBLY. Tra Van Glesen" Looked Like "Waran Glison"-Result, Much Littgation.

Robert S. Howard has begun suit against the Bank of the Metropolis to recover \$5,000 damages for alleged negligence in connection with a note for \$1,650 which he connection with a note for \$1,650 which he left there for collection. The note was made by Walter B. Starbird (who died before it became due) to Mr. Howard's order and was indorsed by Dr. Ira Van Giesen of the State Pathological Institute, whose odd manner of writing his signature has caused a long train of litigation, in the course of which the case has been twice before the Appellate Division.

All the experts in the bank read the signature as "Waran Gilson," but they could find no such name in the directory, so they mailed the notice of the maturity of the note to Mr. Howard, and another, under separate cover, to Waran Gilson in care of

separate cover, to Waran Gilson in care of Mr. Howard. In the meantime Mr. Howard had left town and did not see the notices until some time after. Then he began suit before Justice Chase and a jury against Dr. Van Glesen and the jury decided in his favor on the ground that the bank's interpretation of the signature was the natural one to any person except

Justice Chase set the verdict aside and ordered a new trial. William B. Ellison, counsel for Howard, appealed from the order, but it was sustained by the Appellate Division. The next trial of the case was before Justice Gildersleeve and a jury and the verdict was in favor of the defendand the verdict was in favor of the defendant. Again Lawyer Ellison appealed and
this time the Appellate Division reversed
the verdict and ordered a new trial. Justice
Truax presided at this trial and the case
was dismissed on the ground that the indorser had not had notice of the maturity
of the note.

The ground for the present suit against
the bank is that it was negligent in that
it did not use due perseverance in endeavoring to find the indorser of the note. Howard
alleges that at the time he left the note

alleges that at the time he left the note for collection there was attached to it a card on which the name and address of Dr. Van Giesen were plainly written. The card is one of the exhibits in the case.

CAR HITS BREWERY TRUCK. Upsets It and Hurts Three Men-Car Ran

Away on Suppery Tracks. A trolley car of the Seventh avenue line in Brooklyn bound for the South Ferry with over fifty passengers aboard, while going down the Atlantic avenue hill about 9 o'clock yesterday morning, bumped into a big brewery truck owned by the Howard Childs Company, upsetting it and severely

Childs Company, upsetting it and severely injuring three persons.

The rain made the tracks so slippery that John St. Clair, the motorman, found it impossible to stop the car and when the collision became inevitable, he jumped, receiving a fracture of the left arm and severe bruises. The others injured were Andrew O'Reilly, 42 years old, of \$11½ West Twenty-fourth street, the driver of the truck, and Maurice Powers, 20 years old, of \$ State street, Brooklyn, his assistold, of 8 State street, Brooklyn, his assist-ant. O'Reilly had his thighs and arms ant. O'Reilly had his thighs and arms badly cut and bruised and received internal injuries. Powers escaped with a scalp wound and a bruised arm. The injured men were taken to the Long Island College

MARIE GEORGE GETS A DIVORCE. William Lester Brown, Actress's Hus-

band, Made No Objection, Marie George, who is playing in "The Strollers' at the Knickerbocker Theatre, and who in private life is Clara S. Brown, obtained a decree of absolute divorce against William Lester Brown from Justice Gildersleeve of the Supreme Court yester-day on the report of Martin H. Vogel as referee. The plaintiff resides at the Hotel St. Lorenz, at Seventy-second street and

St. Lorenz, at Seventy-second street and Lexington avenue.

Brown, who has to do with throwing light on stages, has not lived with his wife for two years. He married her on July 3, 1893. Howe & Hummel represented the plaintiff and Josh D. Hart appeared for but did not offer evidence in behalf of Brown. It was shown that Brown has been living in this city with another woman passing this city with another woman passing



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and inexpensive way of going to the Pacific Coast is to join one of our Personally Conducted parties which leave Chicago and St. Louis every week for Los Angeles, over the route outlined above, by way of Denver. All the magnificent Colorado mountain scenery is passed by daylight.

Ve sell through tickets, reserve sleeping car berths, furnish illustrated books abou Colorado and California, maps, time table etc., and can perhaps be of service in other ways. Write for particulars

E. J. SWORDS, General Agent C. B. & Q. R. R 379 Broadway, New York.

MURDERED HIS FORMER PAL. ach's Revenge for Being Thrashed

Charles Auerbach, 18 years old, of 815 East Third street, shot and killed Louis Joseph, or Tammany Hall, as he was known on the East Side, early yesterday morning. The two were formerly friends and, being clever with their fists, frequently sparred together before various athletic and sporting clubs. That was before the repeat of the Horton law. Since that time they have had no regular business. In fact, according to the police, they have been engaged in rather irregular business, and it was a dispute over the spoils that caused had blood between them.

Monday evening Joseph was entertaining several friends with a bag-punching exhibition in Hamilton Fish Park. Auerbach jeered at the exhibition, whereupon bach jeered at the exhibition, whereupon Joseph, purposely missing the bag, let drive at his tormentor's face and knocked him down. Joseph's friends jumped on Auerbach and did their part.

Auerbach managed to scramble to his feet and took it on the run toward the Union Market station.

"I've been done rough," he said to Detectives Sheridan and Miley, who were sitting on the station house steps. "It is up to youse."

But there wasn't any one in sight to arrest and the detectives advised Auerbach to go home.

But there wasn't any one in sight to arrest and the detectives advised Auerbach to go home.

Shortly after midnight the detectives heard a pistol shot and hurried toward East Houston street. In front of 301 they found a big crowd surrounding Louis Joseph, who was dead, with a bullet wound in the mouth. No one could or would tell who had done the shooting. Later the police caught two pals of Auerbach, Simon Smith and Sam Frankel, who said that he had done the shooting. Three hours later Auerbach was arrested in his room. He admitted the shooting. He said that after leaving the police station he had gone over to Avenue B and borrowed a revolver from some one. After the shooting he fied toward Avenue B and gave the revolver to some one else.

Auerbach did not kow that Joseph was dead until he reached the police station. On the way to his cell he saw the body lying on a stretcher.

"Umph," he said; "he's dead, ain't he?"

Smith and Frankel had already been locked up as witnesses. Smith had a mouth organ with him and enlivened the place with ragtime airs during the rest of the night.

Coroner Bausoh remanded Auerbach

Coroner Bauson remanded Auerbach to the Tombs after an examination yesterday morning.

RAIN ON FRANSIOLI'S LAW BOOKS. He Just Saved Them From the Corpora

tion Yard and Got a Roof Over Them. Until yesterday afternoon the furniture law books and legal documents of Augustus C. Fransioli, who was dispossessed from his offices at 75 Liberty street on Monday evening, remained on the sidewalk in the rain. Some half dozen or more piles of briefs and documents were reduced almos to pulp. Somebody covered the law books with a carpet.

Mr. Fransioli, who has been in practice

in this city for a score of years, has been wrongly described as the father of W. J. Fransioli, former manager of the Man-hattan elevated railroad, which he is not. He had fresh troubles yesterday following his dispossession. He engaged a room in the Morton Building in Nassau street, and got a furniture mover around just in time to saya his goods from the Bureau and got a furniture mover around just in time to save his goods from the Bureau of Incumbrance. But when the van load of goods got to the Morton Building the agent of the property refused to allow Mr. Fransioli to take possession without paying a month's rent in advance. This Mr. Fransioli was not prepared to do, and he stored his goods in the rooms of a Liberty street auctioneer.

At the office of O. G. Bennett, agent for 75 Liberty street, it was stated that the disposees writ was served on Mr. Fransioli because after repeated warnings he had failed to pay his rent. Mr. Fransioli said that he had been sick nearly two months and purch work to the his hearings. and unable to attend to his business. In and unable to attend to ms business. In consequence he had been unable to collect money due to him. He added that clients owed him several thousands of dollars, and that despite any temporary embarrassment he objected to paying rent in ad-

NO PATENT ISLAND PLATFORMS Tunnel Can Have Them Without Paying Carpenter Royalties.

Judge Lacombe in the United States Circuit Court has upheld the demurrer of Corporation Counsel Whalen to the bill of complaint in the suit brought against the city and the Rapid Transit Commission by Charles A. Fowler of New Jersey, the owner of the Carpenter patent for the so-called bi-transit railway system, which includes the use of "island platforms" as one of its main features. It was alleged in the complaint that the Commissioners of the Rapid Transit Railway had taken the Carpenter idea. The Judga said that it Carpenter idea. The Judge said that it was impossible to get a compact idea of the plan from the papers, and he added: After several attempts to write an opin-ion which would express more compactly than does the patent itself its utter lack of than does the patent losen its actor lack of patentable inventions it seems better to leave that document to speak for itself." The "Island platforms" are to be on the middle line of the tunnel with tracks on both sides and access and egress by stairs

up or down.

The permit of the Treasury Department for the tunnel to go under the vaults of the Federal Building is a revocable one. This is the only kind that the Treasury Department could issue, for the title to the land is in the Government, and Con-gress must be depended upon to approve any deeds that may be necessary.

TOBACCO SPEC. WENT WRONG. Herman Colell Forced Into Bankrupter Owing 804,474.

Herman Colell, wholesale dealer in topacco at 10 Chatham Square has filed a petition in bankruptcy with liabilities 194 474 and assets \$50,072. Of the liabilities \$75,204 are secured, and \$10,000 is on accom-\$75,204 are secured, and \$10,000 is on accommodation paper. Among the secured creditors are Julius Marquise \$58,704 and Edward H. Colell, \$13,000. The Chatham National Bank is in the schedules for \$10,000 on a note of Edward H. Colell which was indorsed by the petitioner. Mr. Colell is one of the oldest tobacco merchants in the city. Last fall he was induced to go into a tobacco speculation for the purchase of an entire crop of domestic tochase of an entire crop of domestic to-bacco for which he gave long-time notes aggregating \$68,000. He has been unable aggregating \$88,000. He has been unable to sell a single pound of that tobacco in these eight months at anything near cost, and although he has paid \$10,000 of the notes, he has not raised a cent by sale of the tobacco. With this purchase figured at cost, his assets exceed his liabilities. He has only nine creditors all told.

GETS A GRANT IN HONDURAS 100 Square Miles of Land Given to Be Settled From This Country.

NEW ORLEANS, Aug. 6 .- James Wood of Chicago, who went to Henduras as the representative of a Chicago syndicate. returned to-day and says that his company has secured from the Government 100 square miles, or 64,000 acres, of land on condition of settling it with Americans. The land lies between Calba and Puerto Cortez, about thirty miles from the latter place. Mr. Wood says that his company has already made arrangements to send Ohio, Indiana and Illinois farmers who want to go to Central America and raise bananas, cocoa nuts, sugar and similar tropical products The concession is known as Saddle Hill and there is already a successful colony of Germans in the neighborhood. The first party of emigrants is expected to leave in about two months.

After Reading "The Sun" there is little, if anything left to be learned on the leading subjects of the day.—Adv.



The point of this negligee shirt tory comes after the \$ mark.

To-day's price for the \$1.50. \$2 and \$2.50 kind. Attached and detached cuffs. During August stores close at 8.80 p. m.; Satup

ROGERS, PEET & COMPANY, and 7 and 9 Warren St.

TOOLS OF TILLMAN, HE SAYS.

M'LAURIN'S ANSWER TO THE EDICT OF EXPULSION.

Doesn't Recognize the Order as of Value -Calls Tillman an Assassin, and Makes Ugly Reference, to His Wealth

-Tillman Voted With Reput COLUMBIA, S. C., Aug. 6 .- The Democratio State Executive Committee to-day received reply from Senator McLaurin to their resolutions reading him out of the party that they cannot make much of. It was a scorcher for Tillman and treated the committee as if they were foolish boys, led astray by a big, disreputable companion, McLaurin says he received an official notification of the committee's action five days after it was published in newspapers. He

"Personally, I am indifferent to your action, because nobody has made you my master or censor. I regard your action as merely expressing the malice and fears of one man, Senator B. R. Tillman. But for his always evil and indecent influence, ordinary respect for the proprieties would probably have prevented the four of you who are declared competitors for my seat. from attempting to use the power entrusted to you by your party to remove a rival from your path. As a citizen and a Democrat I am mortified by your action, because it has brought upon the State condemnation and ridicule. Unhappily, those not sequainted with our conditions accept the action of your committee as representing the intel-

your committee as representing the intelligence of the State."

Molaurin describes the proceedings as of star chamber order. He thinks the Democratic masses are competent to pass judgment. He charges Tillman with being a political assassin, who has struck pure men to advance himself and always avoided personal responsibility. Irby, Shell and Farley, he says, died despising him for his treachery. He adds:

"Because he falled to strike me down he has incited you to attempt to strangle me.

Because he failed to strike me down he has incited you to attempt to strangle me. He cannot put me under suspicion, as he has himself by his own acts. I have not in public office retrograded from a perhaps honorable bankruptey to dishonorable and unexplained wealth. He and I draw the same salaries, but I find it impossible to save any of mine. I have never however, made speeches against corporations, then yoted for them, or been the sole buying agent of a self-created whiskey trust, with its rebates of \$60,000 to \$70,000 a year, none of which ever reached the State Treasury. its rebates of \$60,000 to \$70,000 a year, none of which ever reached the State Treasury. I have never had the handling of a State bond refunding scheme, with \$28,000 of commissions never yet accounted for."

McLaurin says the people can decide between him and Tillman, who, on the floor of the Senate, represents his constituency as ballot box stuffers and murderers wanting their share of the steal-

derers wanting their share of the stealings. He says:
He is now in a Northern State holding

up our people as negro murderers and ballot-box thieves." McLaurin dares the committee to prove that he is not a Democrat. He quotes the record to show that when he and Tillman voted on opposite sides, Tillman went with Republicans as often as he did. The with Republicans as often as he did. The people of South Carolina, he says, had never had submitted to them the question never had submitted to them the question of ship subsidies. It is one on which they should pass, he thinks. He says Demo-

should pass, he thinks. He says Demo-crats are divided on it.

McLaurin makes a running defence of his position, then says:

"I have said enough, I think, to prove to you that you have permitted yourselves to be made tools of by Senator Tillman to promote his mean, base and brutal ends, and to protect him from a struggle he fears to face, because he knows the facts and arguments are all against him.

"Accept my condolence on the unhappy
and absurd situation into which this would-

be dictator has led you."

Soliciting Ads. Under False Pretences. Commissioner John McMackin of the State Department of Labor issued a statement last night in which he said that certain persons were going around through the State soliciting advertisements from manufacturers for a publication which it was asserted would contain the proceed-ings of the last national convention of factory inspectors, and assuring all advertisers that they would bestow a favor on the Bureau of Factory Inspectors by patronizing the publication. Mr. McMackin warns overybody that the solicitors are using the name of the department without authority.

CARLSBAD.

This season of the year is the most suitable for the use of the well-known Carlsbad Sprudel Water. For five centuries it has been acknowledged by the medical faculty to be the best and most effective mineral water for all ailments of the liver, catarrhal affections of the stomach, bile, bile pigment, gallstones, temporary and habitual constipation, &c.

Millions of people all over the world have been cured by the use of this celebrated spring, and it deserves to be made known to all suffering from above and kindred diseases who have not heard of it or used it before. It acts mildly without pain, and regulates the secretions of the stomach. If a decided laxative action is desired, take a teaspoonful of the Carlsbad Sprudel Salt with the first tumblerful of the water early in the morning before breakfast. Beware of imitations, the genuine must have the signature of EISNER & MEN-DELSON Co., New York, sole agents for the U.S., on bottle.